App. F. IX-4

Previous References

1928.
(Draught)

File No. 42-28

Serial Nos. 1—4

Later References
Draught 251 29-1-5—
" 136-31-12.

General and Revenue Secretariat.

Serial Nos. 4

Part B for May 1929

SUBJECT

Recommends that for reducing certain valuable lands of the Nawab Shahi alienated by the late Nawab a sum of Rs 1000/- bearing interest at 5% may be advanced to the Shahi.

G.O. No. 2529-30
dated 18.5.29.

To the Draug. Comr
" Comptr

The Draughtsman Commr's recommendation is sanctioned. The loan will be advanced from the Genl. Draug. Fund subject to all conditions imposed in the case of previous loans of Rs 2000/-

G. R. S. APP F.III—1] 1928.

GENERAL AND REVENUE SECRETARIAT.

(Inezrai)

FROM

The Inezrai Commissioner,

No. 1226 Dated 7. 8. 28. Received

Diary No. 216	Enclos.	Spare copies —	Serial No 1

BRIEF ABSTRACT OF LETTER.

Recommends that for redeeming certain valuable lands of the Inam alienated by the late Swamy, a Sum of Rs 4000 bearing interest @ 5% may be advanced to the Inam either from chattram savings fund or the General Inez. Funds or from funds of Sri Krishna Doss charities for which there is no immediate use —

NOTES AND ORDERS.

The Inam's letter gives reasons for the loan now applied for.

Sri Krishna Dasayam

certain valuable lands of the Inam have been alienated by the late Swamy

A
(Statement).

NOTES—First Sheet.

General and Revenue Secretariat.

File No. 47 of 1928

Serial No.

A loan of Rs 4000 bearing interest on the security of the math trust as 5% is recommended with a view to redeem some of these properties It may perhaps be sanctioned from the funds of Rani Krishna Doss charities, amounting to Rs 11798 and odd, for which, the Rao Sahib has submitted a typed copy of G.O. No 2612 dt 2.8.1928 sanctioning a scale of income and expr for this math, is submitted. Against an estimated annual income of Rs 3000/ a scale amounting to Rs 2994/ has been sanctioned, leaving a small annual saving of Rs 6/ so that no provision can be made towards the liquidation of the debt. As the amount will be utilized towards the redemption of the math lands alienated by the late Swamy, Sub Collector

Mr. McCandless

The income from these lands may ~~perhaps~~ be paid towards the instalments of the loan the management of the math is under, as also.—

M 9.8.28.

Mr 9/8/28

(Illegible)

9/8.

3 I am inclined to agree in the

Serial No.

of the D C Kolar, that there is no sufficient guarantee forthcoming about the Mutt being able to repay the loan with interest in the prescribed time. However as the Mutt owns is so helpful as redeeming valuable property belonging to the Mutt, a sum of Rs 2000/- may be placed at his disposal in the first instance, as above from the Grant Muz Fund at 5% interest and he may be requested to report the results of his negotiations with the parties by making the 1st monthly instalment of the amounts.

9 & 10

4 I agree. The M.C's proposal is not definite regarding the period within which any loan given will be repaid. It may not be possible to settle this month before ascertaining the additional revenue to be realised from the the property to be redeemed - A Sum of Rs 2000 may as proposed by the Jt Secy be placed at the M.C's disposal for the purpose. The loan will be given from the Grant Muz Fund and the whole amount from redeemed lands will be [illegible] Govt

General and Revenue Secretariat.

Mun. File No. 42 of 1928

Serial No.

AUG. 1928 1099...

5 Dft. submitted (for Member) 14/8

6 Mull 17/8/28

7 Sign 15/8

2 To. Dist Collr & Compt
No 377-8 dt 17.8.28
Sanctions a loan of Rs 2,000/- for the Gen. Mun. funds to be placed at the disposal of the Dt C. for clearing certain lands & directs that the crops of the reclaimed lands be left in the hands of Govt for repayment of the loan & reports the Mun. Council's request if sanctioned

3 From, the Mun Comr, Letter no 1226 dt 23.2.1929.
Reports that the properties in question viz. S. nos. 62, 63, 98 and 103 of Avani Village have come to the share of Rama Rau in accordance with the terms of his father's Will, and

NOTE—Contn. Sheet.

(& Schedule attached to the Will)

WD 0171—GPS—30,000—18-4-28

Serial No.

9

Rama Rao is willing to surrender them to the possession of the math on receiving the proportionate amount of the original sale amount viz Rs 800. and requests L. R's views in the matter of Redeeming the 4 S. nos. in question.

& Financial Secty's order. ——

L. R. may be communicated.

Submitted.
AV
25-2-29

25/2

25/2

9 by Rev with compliments

25/2

10 No letter of the M. C. of 6.5.28 seems to show that inconvenient cases may be raised if the case is taken to Court. It shall have to be established that the lands were originally given as dharm to the Mutt; and since there has been a sale by the late Swamy, the absence of legal necessity shall have to be proved. Since the party is willing to surrender the lands on payment of a proportionate sum, the proposal of the R. C. sums to be very equitable & may be sanctioned.

D. C. seen with compts

SECRETARIAT & REV. DEPARTMENT
23 APR 1929
MUZRAI
D. 1298

General and Revenue Secretariat | File No. 42 of 1928. | App. F. III—2]

Serial No.

No 6809

11 Submitted for orders
1st meeting
2/5/29

12 The M.C.'s recommendations may be sanctioned. The loan will be advanced from the Genl. Mar. Fund and it will be subject to all the conditions imposed in the case of the previous loan of Rs2a allowed for a similar purpose
Simple
4.5.29

13 Sd/-
4/5

14
Dft. & o- Submitd.
AV
13 5. 29.
WW
14/5

15
16/5

4 Do The Engg. Secy.
[illegible]

B
B WW
8/6

M. C. 13

FINANCIAL
7 AUG. 1928

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore.....6th August.....1928.

7.

REV. SECRETARIAT
8 AUG 1928
MUZRAI
9216

No. 1226 Ju 3
24-5

Mur 42-28-7

FROM

P. G. D'Souza, Esq., B.A., B.L.,
The Muzrai Commissioner in Mysore.

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

SIR,

I have the honor to state that at a meeting held on 10th June - 1928 the members of the Sri Avani Matha Committee resolved that the -- Government be approached to advance a loan of Rs.5000/- on the security of the matha properties for redeeming certain valuable lands of the -- matha alienated by the Late Swamigalu, as persons in possession were - reported to be willing to restore them to the matha. In furtherance of the above resolution the Convenor stated in his letter 20th - June 1928 that mortgagees and owners of land detailed in the proceedings of the committee referred to above, had consented to give back the lands on payment of the principal amount due to them, foregoing the interest - and expenses incurred by them and prayed that as the lands were situated very near to Avani and formed the bed of tanks and were in consequence - valuable, the loan applied for may be sanctioned, the same being ------ repayable in yearly instalments of Rs.500 each.

2. In connection with the elaborate investigations that are being conducted by the Sub Division Officer into the encumbrances created by the late Swamigalu, Mr. Guru Dutt has reported that properties with a total extent of 135 acres and assessed at Rs.568/- which are in other hands could be redeemed if a sum of Rs.7000/- could be made available and that if action in respect of the lands held by messrs. Srinivasa - Iyengar and Ramakrishna Rao and Mr. V.R. Nageswara Iyer were taken -- immediately and the properties redeemed at a cost of about Rs.4000/-

an additional income of over Rs.1000/- will accrue to the matha year after year (vide copy of report dated 27th May 1928 enclosed.)

3. A report in the matter was called for from the Deputy Commissioner. He reports that so far as the existing financial condition of the Matha is concerned it is too poor to bear the expenditure ---- incidental to the redemption of the properties as proposed by the -- Sub Division Officer and the Convenor, and judged by the extent of liabilities outstanding against the matha the chances of any improvement in its finances are far remote and that consequently payment of any amount from funds now at its credit is out of consideration.

As regards the loan itself, the Deputy Commissioner opines that he cannot see his way to recommend it, as the written consent of the alienees referred to above has not been obtained and as the scale of expenditure now under consideration does not provide for sufficient - reserve for the repayment of the loan (vide copy of letter dated 17th July 1928 enclosed)

3. It seems to me that the proposal of the committee and the recommendation made by the Sub Division Officer are worthy of consideration The latter has recommended the redemption of the properties in possession of messrs Srinivasa Iyengar and Ramakrishna Rao and Mr. V.R.Nageswara Iyer by paying about Rs.2000/- each. The former have also reported that the lands are valuable ones and that the two parties are agreeable to restore the lands in their possession foregoing the interest and other incidental expenses, incurred by them. It is anticipated that an income of over Rs.1000/- will accrue to the matha in case they are redeemed. If this anticipation is realized there will be no difficulty in paying back the loan amount that will be advanced by Government in the Muzrai Department. I have also examined the matter on the spot. Though the alienations -- made by the previous Swami would ordinarly have no effect beyond his life time, yet in these cases it would be difficult to prove that the loans -- were incurred altogether for unjustifiable purposes and I understand that the case is further complicated by the fact that many of these properties did not form the original endowment for the matt but were purchased by the Swami out of the income. The Matt has no funds to carry on any litigati and it seems to me desirable that whatever we may arrange to get the -----

ro erties

properties back by amicable settlement we should do so. Before actually redeeming the properties, I shall see if it is possible to - induce the mortgagees to further reduce the principal. I beg therefore to recommend that a sum of Rs.4000/- bearing interest - at 5% the rate now allowed on Savings Bank fixed deposits, may be advanced to the matha either from the Chattram Savings Fund or the General Muzrai Fund or from funds belonging to the Nowl Krishna Doss Charities and amounting to Rs. 11,798-5-8 at the end of June 1928 for which there is no immediate use. As the management of the Matha and its endowments will remain vested with Government there - will be no difficulty in recovering the instalments as they fall due.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Copy of the letter No.R1-C.1109/27-28 dated 27-5-28, from the Assistant Commissioner Malur Sub Division, Kolar, to the Deputy Commissioner, Kolar District.

In continuation of my letter No.R.I.C.1109/27-28 dated the 18th instant submitting a report regarding the properties of the Avani Matt I have the honor to state as follows:--

Properties as noted in the statement attached with a total -- extent of 135 acres with an assessment of Rs.568 which are in other hands could be redeemed immediately if a sum of Rs.7000/- could be made immediately available. At present the funds at the credit of the institution amount to about Rs.4500/- only. This will be barely enough to get back possession of the properties which are in the hands of Messrs. Srinivasa Iyengar and Ramakrishna Rao (item 1 in the -- statement) and Mr. V.R. Nageswara Iyer (item 2). If action in these two cases is taken in the course of the next few days the Matt will get an additional income of over Rs.1000/- during the next official year. So I request that sanction may be obtained to incur this -- expenditure. After agricultural operations start it may be difficult to get possession with effect from the next official year.

I request that I may be favoured with instructions forthwith.

"C o p y"

For Muzrai Commissioner.

"Loan - Rs.6000/- Sri Avani Matt-redemption of Kandayam lands of the Matt.

With reference to your letter No.1226/24-25 dated 22nd June 1928 calling for my opinion on the request of the Convenor, Mr. V.B. Srikantiah of the Sri Avani Matt committee, for a loan of Rs.6000/- from Government for the purpose of redeeming certain landed properties of the matt, mortgaged by the late Swamigalu, I have the honor to state as follows:--

2. So far as the existing financial condition of the Matt is ---- concerned, it is too poor to bear the expenditure incidental to the redemption of the said properties of the Matt as proposed both by the convenor and the Malur Sub Division Officer. Judging from the liabilities out-standing against the Matt the chances of any improvement in its finances are far remote. Hence payment of any amount - from the funds now at the credit of the Matt for the above purpose is out of consideration as already reported in my letter No.A2-C.1463/27-28 dated 28-6-28.

3. The Committee appears to be very anxious to take active steps to improve the resources of the matt by redeeming the kandayam lands of the Matt and depend upon Government to come to their help by granting them a loan of Rs.6000/- to redeem the properties now in the hands of Messrs. Srinivasa Iyengar and V.R. Nageswara Iyer, The Convenor states that the alienees have consented to give back the matt lands in their possession on payment of the principal amount without irterest and expenses but - their written consent has not been obtained. Further the scale of -- expenditure now proposed leaves a small balance of Rs.500/- for the -- repayment of the loan in annual instalments. No mention is made about the interest on the loan, and moreover it is not known what unforeseen expenditure will have to be incurred during the long period of 12 years which would be required for the full adjustment of the loan. The scale does not take into consideration the appointment of a full time agent - for the management of the properties situated both inside and outside the state. Such an officer is absolutely necessary for the efficient -- management of the estate under the supervision of the Revenue authorities. Under the above circumstances unless the scale of expenditure proposed by the Committee is revised so as to leave a balance of at least Rs.1000,

I regret I cannot see my way to support the
the Sub Division Officer for the grant of loan.

5. The two letters received from the convenor along with your letter under reply are herewith returned.

"C o p y"

For Muzrai Commissioner.

1. S.Numbers 1, 23, 25, 26, 30 and 33 of Avani village mortgaged with possession to Messrs. Srinivasa Iyengar and Ramakrishna Rao of Bangalore Extent 21 acres 37 guntas - Assessment Rs.91-8-0, as also S.Nos.22 and 32 with an extent of 1 acre 28 guntas assessed at Rs.9-8-0 (Rs.2000)-

11. S.Numbers 81/2, 87/2, 25/1,24, 15, 28, 102, 43, 51, 53, 54, 66, 61, 62, 81/1, 64/1, 87/1,84, 70, 78,88 and the Matt's share in S.Nos.50, 63, and 100 of Cholangunte village of the total extent of 85 acres 18 guntas assessed at Rs.322-12-0 which were purchased by Mr. V. Nageswara Iyer in a Civil Court sale (Rs.2000/-).

111. S.Numbers 69. 74,78, of Avani village mortgaged to Subbaiya Naidu for Rs.1500/- extent 10 acres 33 guntas, assessed at Rs.63/-

1V. S.Numbers 94/2, 95. 96, 97, 105/ 111 of Avani village of the extent of 15 acres 5 guntas assessed at Rs.81-12-0 mortgaged with possession to Chitteri Budruddin Sab for Rs.1500/-.

"C o p y"

For Muzrai Commissioner.

SUBJECT.....

Diary No. of letter replied to.....

Muzrai Secretariat

( )

the 192

Date of issue .....

Signed by.....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette. English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

SECTION

FILE No.

SERIAL No.

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Letter no 1216 Dy 7.8.28 from the Muz. Comr in Mysore reporting that certain Valuable Kandayam lands of Sri Anant Mall have been alienated by the late Srinivasa and recommending that for redemption Order Thereon No. Some of these properties, a sum of Rs 4000/ bearing interest (@ 5% may be advanced) by the Mall

Order thereon.

Under the circumstances reported, Govt are pleased to sanction a loan of Rs 2000 from the General ~~at 6% interest~~ Muzrai fund. The amount will bear 5% interest and will be placed at the disposal of the Commr. ~~Deputy~~ for the purpose of reconstructing certain properties. The whole income from redeemed lands will be until further orders at the disposal of Govt. for recovery of interest and repayment of Principal.

~~(2) A report of the action taken may be made to Govt.~~

Mr MO is requested to submit a report of action taken in the matter in due course.

14/8 Dpty. Secy

To the Muz Comr

Comptr

ML
14/8/28

List of enclosures.

1 Mem
5/8/28

Copied by

Examined by

WD 0566—2000—GPB—29-7-22

Proceedings of the Government of His Highness

The Maharaja of Mysore.

Read-

Letter No. 1226 dated 7-8-28. From the Muzrai Commissioner in Mysore reporting that certain valuable Kandayam lands of Sri Avani Matt have been alienated by the late Swamigalu and recommending that a sum of Rs. 4000/- bearing interest @ 5% may be advanced to the Matt for redeeming sume of these properties.

Order No. 377-8 | Muz 42-28-2

dated, Bangalore, the 16th August 1928.
17th

Under the circumstances reported, Government are pleased to sanction to the Sri Avani Matt a loan of Rs. 2000/- from the general Muzrai fund. The amount will bear 5% interest and will be placed at the disposal of the Muzrai Commissioner for the purpose of redeeming the Matt properties. The whole income from redeemed lands will until further orders be at the disposal of Government for recovery of interest and repayment of principal.

The Muzrai Commissioner is requested to submit a report of action taken in this matter in due course.

Fair draft

By order,
Secretary to Government,
Financial Department.

To,

The Muzrai Commissioner in Mysore.

The Comptroller to the Government of Mysore.

No. 1226 Eu 7 file
24-5

FROM

P. G. D'Souza, Esq., P.A., B.L.,
The Muzrai Commissioner in Mysore.

MUZ
8/1298
Muz 42-28-3

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

SIR,

Adverting to Government Pro.No.377-8/Muz.42-28-2 dated 17th -- August 1928 sanctioning a loan of Rs.2000/- in favour of the Sri --- Avani Matha for redeeming some of the properties alierated by the -- late Swamigalu, I have the honor to submit herewith in original ---- correspondence ending with D.O. letter C.C.No.304/28-29 dated 18th - February 1929 received from the Deputy Commissioner of the Kolar -- District, requesting orders to take possession of S.Nos.62, 63,98 & 103 of Avani village on payment of a sum of Rs.450/- to Rama Rao, as agreed to by him in his statement of the 4th February 1929.

2. As the lands are reported to be worth nearly Rs.3500-0-0 and as the present enjoyer Rama Rao is willing to surrender them to the possession of the matha on receiving the proportionate amount of the original sale amount viz., Rs.800/-, I beg that the Law Secretary - to Government may kindly be consulted and necessary orders issued for - redeeming the four survey numbers in question.

I have the honor to be,
Sir,
Your most obedient servant,

for Muzrai Commissioner.

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT.

Camp Tyakal,
Dated, ~~Kolar~~, the 18th Feb. 1929

1226/24-5

Dear Mr. D'Souza,

Subject.- Avani Mutt properties - Redemption.

Kindly refer to your letter No. 1226/24-25 dated the 29/30th November 1928 on the above subject. The Sub Division Officer, Malur reports that out of the properties referred to in his memo No. R. 1. C. 317/28-29 dated the 7th November 1928, copy of which was sent with my office No. C.C 304/28-29 dated the 20th November 1928, the S. Nos. 156 and 158 are not now in the possession of Lakshminarasappa and his brothers i.e., sons of Chimangala Gundappa but are now in the possession of one Gangigunte Muneeppa who is not willing to restore them. I shall deal with these two S. Nos. separately.

The other four S. Nos. of the extent of 10 acres and 4 guntas Viz., S. Nos. 62, 63, 98 and 103 are now in the possession and enjoyment of Rama Rao, one of the younger brothers of Lakshminarasappa. A copy of the Sub Division Officer's letter No. R. 1. C. 317/28-29 dated the 8th February 1929 and copies of its four enclosures are herewith sent enclosed. Rama Rao has agreed to hand back the lands on payment of a sum of Rs 450/- due in respect of them, proportionately. Though I am of the opinion that, following the ruling of the Privy Council in Balasamy Iyer's case and of the Chief Court in Subbarayappa's case, the alienation by the previous Swami may be ignored and the lands resumed, leaving the aggrieved party to sue the Mutt, in a Civil Court and though I am confident the such a suit will be dismissed by the Civil Courts eventually, both inorder to avoid litigation and on principles of equity, I recommend that sanction may be given immediately in consultation with the Law Secretary, if necessary, to pay Rs 450/- to Rama Rao and take possession of all these

as strictly confidential and also dealt with as the disposal of the question in regard to the valuable properties depends upon a prompt settlement of this, the first case.

4. As this arrangement is in consonance with our personal discussion in the matter, I hope it is not - necessary for me to write in greater detail.

Yours sincerely,

P. G. D'Souza, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

G.R.S App. F VI G-2]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and revenue Secretariat

( )

the 192 .

Date of issue... 18/1/2, ...

Signed by.....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Order Thereon No.

Section Imm

File No. 42-25

Serial No. 4

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

G O no. 377-81 Muzrai 42-28-2 Dy 17 & 28 Sanctioning a loan of Rs 2000 in favor of The Soi Anani matt for Redeeming Some of the properties alienated by the late Inamigalu.

Letter no. 1226 Dy 23.2.1929 from the A.C. in Mysore Submitting The Comrs from the Kolar Dy. Comr requesting orders to take possession of S.Nos 62, 63, 98 and 103 of Anani Village on payment of a Sum of Rs 450 to the Rama-Ch.

RO 25/5

as agreed to by him in his
Statement of the 4.2.1929
and recommending that as
the lands are reported to be
worth nearly Rs 3500-0-0
and as the present enjoyer
Rama Rao is willing to
surrender them to the
possession of the mall
on receiving the proportionate
amount of the mgt. sale
amount viz Rs 800/-,
necessary orders may be
issued after consulting the D.C.R.,
for resuming the four S.nos in question.

First of enclosure.

Order

The M.C's recommendation
is sanctioned. The loan
will be advanced from
the Seal. Mus. Fund
and it will be subject to
all the conditions imposed

Copied by

Examined by

[G. R. D. 21]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

in the case of the provi
loan of Rs 2000 allowe
for a similar purpos
in the G.O. of Aug. 28
last above.

28/8/15

D.D. for I.C. Secy

Ag

Memo. C. Wks. Accts
& Comptr.

...GS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read:--

Government Order [illegible] dated 17th [illegible] sanctioning a loan of [illegible] in favour of [illegible] redeeming one of the properties alienated by [illegible].

2. [illegible] dated 26th March 1928 [illegible] Deputy Commissioner in [illegible] Survey Numbers 82, 83, 98 and 100 of [illegible] for the sum of Rs. 450/- to one [illegible] dated 30th [illegible] 1926 [illegible] be mortgaged by Rs. 3500/- and as the present [illegible] willing to surrender them on the payment of [illegible] proportionate amount of the original sale amount viz: Rs. 800/- [illegible] application for [illegible] Government Order No. 2529-30/MW242-28 dated 17th March 1928.

Order, dated 17th March 1928.

The [illegible] Commissioner [illegible]. The loan will be [illegible] and it will be subject to all the conditions imposed in the case of the previous loan of Rs. 2000/- allowed [illegible] Government Order of March 1928 read above.

By order,
[illegible]
Secretary to Government,
Revenue Department.

[illegible]